

## Residential Tenancies Board


### Determination Order

**Ref: DR0822-79147**

In the matter of Ellen Hanley [Applicant Landlord] and Dermot Kelly, Kasia Koman [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 10 December 2021 served by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at Kishikirk, Ballysimon, Co. Limerick, V94R7WT, is valid.
2. The Respondent Tenants and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 10 days of the date of issue of this Determination Order.
3. The Respondent Tenants shall pay the sum of €5,600.00 to the Applicant Landlord, within 28 days of the date of issue of this Determination Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenants shall also pay any further rent outstanding from 29 November 2022, being the date of the Adjudication Hearing, at the rate of €700.00 per month or proportionate part thereof at the rate of €23.00 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month/week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenants and any other persons residing therein.
5. The Applicant Landlord shall refund the security deposit of €350.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 25 January 2023.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director